

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

CARDSOFT (ASSIGNMENT FOR THE  
BENEFIT OF CREDITORS), LLC,

*Plaintiff,*

v.

THE GORES GROUP, LLC, and EQUINOX  
PAYMENTS, LLC.,

*Defendants.*

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Case No. 2:12-CV-325-JRG-RSP

**ORDER**

Before the Court is Defendants Equinox Payments, LLC and The Gores Group LLC's Motion to Dismiss Complaint for Failure to State a Claim (Dkt. No. 19, filed January 1, 2013.) The Magistrate Judge filed a report recommending that the motion be denied (Report and Recommendation, Dkt. No. 69.)

Having reviewed the Report and Recommendation and there being no timely objections, the Court finds that the Report and Recommendation should be, and is hereby, ADOPTED. Accordingly, Defendants' Motion to Dismiss Complaint for Failure to State a Claim (Dkt. No. 19) is **DENIED-IN-PART** as it relates to Plaintiff's claim of inducement and **GRANTED-IN-PART** as it relates to Plaintiff's claims of contributory indirect infringement.

**So ORDERED and SIGNED this 30th day of September, 2013.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE